

January 18, 2012

Kansas Department of Health and Environment
Economic Impact Statement

Pursuant to the requirements of KSA 2010 Supp. 77-416, the Kansas Department of Health and Environment submits the following economic impact statement.

1. Regulation(s):

K.A.R. 28-56-1
K.A.R. 28-56-2
K.A.R. 28-56-3
K.A.R. 28-56-4
K.A.R. 28-56-5
K.A.R. 28-56-6
K.A.R. 28-56-7
K.A.R. 28-56-8
K.A.R. 28-56-9
K.A.R. 28-56-10

2. Brief description of each regulation(s) and what is intended to be accomplished by adoption.

K.A.R. 28-56-1
Defines 28 terms used in the regulations.

K.A.R. 28-56-2
Specifies the information to be reported on every abortion report submitted to the department; requires reports within 15 days of abortion; requires confidential code number; requires provider to have copy of reporting requirements; requires electronic reporting for certain reports.

K.A.R. 28-56-3
Establishes additional reporting requirements for abortions performed at 22 weeks or greater gestation; requires specific responses to clinical issues; requires medical codes be submitted with the information.

K.A.R. 28-56-4
Establishes additional reporting requirements for partial birth abortions; requires specific responses to clinical issues; requires medical codes be submitted with the information.

K.A.R. 28-56-5
Requires filing of a failed abortion report if abortion attempt results in a live birth; requires submission of live birth certificate as well.

K.A.R. 28-56-6

Requires physicians to report additional information about abortions performed on minors in case of medical emergencies.

K.A.R. 28-56-7

Requires physicians to file a monthly report on number of informed consent certifications received prior to performing an abortion; specifies information to be provided.

K.A.R. 28-56-8

Requires physicians performing and referring late-term abortions to sign separate affidavits attesting the physicians are not legally or financially affiliated.

K.A.R. 28-56-9

Establishes procedures and timeframe for correcting abortion reports and reports on the number of informed consent certifications received by physicians.

K.A.R. 28-56-10

Establishes the medical information that must be retained on every abortion performed by every provider.

3. Is this regulation(s) mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program?

Yes _____ No x

If yes, please explain.

4. Do the proposed regulations exceed the requirements of applicable federal law?

Yes _____ No x

If yes, please explain.

5. Description of Costs:

a. Cost to the agency:

Revisions to forms and abortion reporting software and staff time for training providers will be required. Costs are estimated to be \$34,000 with the bulk of the money expended for the vendor maintaining the vital statistics information system to modify the abortion reporting system. It is presumed the costs will be absorbed in the current budget.

- b. Cost to persons who will bear the costs and those who will be affected, (i.e., private citizens and consumers of the products or services) and are subject to the proposed rules and regulations or the enforcement:

There are no fees assessed to the regulated community. Some additional time may be spent by providers to comply with new record-keeping and reporting requirements. However, that time is likely to be modest and difficult to estimate.

- c. Costs to other governmental agencies or units:

There are no known costs to other agencies.

6. Description of any less costly or less intrusive methods that were considered by the agency for the purpose of the rules and regulations and why such methods were rejected in favor of the proposed rules and regulations.

No less costly or less intrusive methods were identified. Kansas law mandated KDHE promulgate the regulations. No alternatives were identified in state law.

7. Verification of economic impact statement with League of Kansas Municipalities, Kansas Association of Counties and the Kansas Association of School Boards.

Yes ____

No x